

REMARKS

The Official Action of March 20, 2003, has been carefully considered. It is noted that while Claims 1-27 were finally rejected in the summary and Claims 2-27 were finally rejected in the detailed action, only Claims 2-18 and 22-27 were present in the application.

The rejections are based on 35 U.S.C. § 112 (Claims 23, 25 and 27) and 35 U.S.C. § 103(a) (Claims 2-27). This Amendment and Response proposes amendments which, it is submitted, obviate the § 112 rejection. Reconsideration of the § 103(a) rejection is requested in view of the following arguments.

Applicants propose canceling Claims 4, 8, 16-18 and 24-27. Applicants also propose amending Claim 5 to make it depend from Claim 2 (rather than be independent). Claim 2 would then be the only independent claim in the application with the remaining Claims 5-7, 9-15, 22 and 23 all depending from it, either directly or indirectly.

Claim 2 has been amended merely to specifically recite what is already implicit; that is, that the fibers are present in sets which are bound together by a resin binder, i.e., the sets comprise a unitarily formed rod. It is respectfully submitted that Claim 2 defines clearly over the Francois and Anderson references taken individually or in any combination.

Claim 2 recites a composite rod wherein the rod comprises three sets of fibers with all three sets bound together in a resin binder. In this unitarily formed rod, each set comprises fibers oriented in a specific, different direction from each other layer.

Francois discloses a composite tube containing two layers, not three. At Col. 2, lines 54-65, Francois points out that a backup sleeve 16 "may be secured" to the inside of a tube at an end of the sleeve. The sleeve 16 is not a part of the rod, insofar as its fibers are not bound together with a resin to the fibers of the tube.

Francois states that the sleeve has a filament angle of " $\pm 40^{\circ}$ - 50° ". This clearly means that the sleeve has the same construction as the tube, i.e., that the filaments extend at either $+40^{\circ}$ to $+50^{\circ}$ or -40° to -50° . Contrary to what the Examiner suggests, it does not mean that the fibers of the sleeve extend at an angle somewhere between $+10^{\circ}$ and -10° .

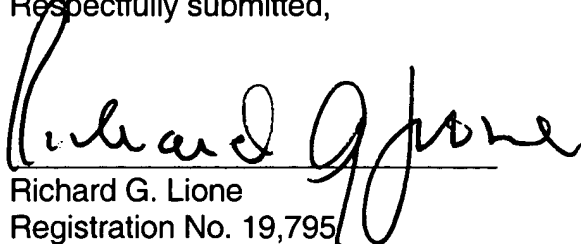
Thus, Claim 2 is patentably distinguished from Francois for two significant reasons. First, his rod does not contain three separately oriented sets of fibers. Second, even if the sleeve 16 is considered to be a component of the rod with its fibers bound into the rod by a resin, it does not have a filament angle of $0^\circ \pm 15^\circ$. Contrary to the Examiner's suggestion, the invention of Claim 2 differs from Francois by far more than "the use of two bars."

Regarding Andersen, it does show "a stabilizer bar having a rod 72 and arms 78, 90." There, any similarity to the claimed invention ends, however. The tubular member 12 of Andersen is "preferably made of manganese steel alloys", not a composite. Thus, Andersen adds nothing to Francois and, accordingly, does not even remotely suggest modifying Francois to construct the invention of Claim 2.

Claim 2 should be allowable over Francois alone or Francois and Anderson for the reasons enumerated. Claims 5, 9-15, 22 and 23 now all depend from Claim 2. Each further distinguishes applicants invention from Francois and Anderson. Each should also be allowable.

Passage of the application to issue is respectfully requested. In the event the present claims are not allowed to be in allowable form, entry of the amendment for purposes of appeal is requested.

Respectfully submitted,



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